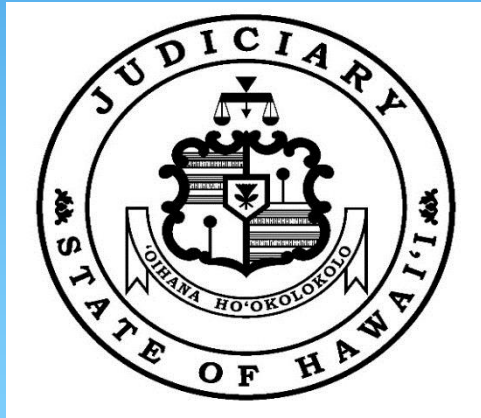


Hawaii State Liquor Conference DUI Panel October 1, 2019



Division of Driver Education



Oahu

23



Maui, Molokai, Lanai

5

Main Street Promenade
2050 Main Street
Wailuku, HI 96793



Kauai

2

Kona Judiciary
74-5451 Kamakaeha Avenue
Kailua-Kona, HI 96740

Kauai Judiciary
3970 Ka'ana Street,
Lihue, HI 96766



Big Island

5

Hilo Judiciary
777 Kilauea Avenue,
Hilo, HI 96720

American Savings
Bank Tower
1001 Bishop Street
Honolulu, HI 96813

Mission of Driver Education

**To promote safe driving habits
through educational programs aimed
at traffic offenders.**

Purpose

CASE MANAGEMENT

- * Assist traffic offenders to comply with their court sentence and driver licensing conditions

EDUCATION

- * To conduct effective traffic safety education classes to court referred individuals

Special funded program

HRS 286G-3 Driver Ed. and Training fund

\$7	State and County moving violations
\$100	OVUII 291E-61, 291E-61.5
\$50	Child Passenger Safety class 291-11.5
\$75	Excessive Speeding 291c-105

HRS 431:10C-115 Driver Ed. fund underwriters fee

\$3 collected for each insurance policy

(\$2 - designated to Dept of Ed. & \$1 – designated to Judiciary DDE)

Who do we service?

DUI offenders

Underage
Drinking
Drivers

May I Help You?

ADLRO

Excessive
Speeders

Child Restraint
Violators

Other traffic
violators



BE AWARE



FIRST OFFENSE:

No DUI/OVUI conviction within the past 10 years

- 14 hours minimum substance abuse rehabilitation program
- 1 Year revocation of license and privilege to operate a vehicle, and installation of ignition interlock device on any vehicle operated by person during revocation period
- One or more of the following:
 - \$250 to \$1,000 fine
 - 72 hours of community service
 - 48 hours to 5 days imprisonment
- Substance abuse assessment and possible treatment
- \$100, \$7 Driver Education assessment for OVUI education (HRS 286G-3)
- \$25 Neurotrauma Surcharge
- Surcharge up to \$25 if court so orders, to the trauma system special fund
- \$250 Drug demand reduction assessment (HRS 706-650)
- \$30 Crime victim compensation (HRS 706-605(6), 351-62.6(a)(3))

IN ADDITION TO 1ST and 2ND OFFENSE PENALTIES:

Any person 18 years of age or older who is convicted under this section and who operated a vehicle with a passenger who was younger than 15 years of age shall be sentenced to an additional mandatory fine of \$500 and an additional mandatory term of imprisonment of 48 hours. Total term of imprisonment not to exceed maximum term as provided. HRS 291E-61(b)(3) There will be no requirement to install an Ignition Interlock device if the requirement has been previously imposed pursuant to part III of the chapter (by the Administrative Driver's License Revocation office); provide that, if the requirement is subsequently reversed, a requirement for the installation of an Ignition Interlock device shall be imposed as provided in this section HRS 291E-61(g)(3)

A person convicted for a **THIRD** and subsequent OVUI offense within 10 years is subject to penalties under HRS 291E-61.5 "Habitually Operating a Vehicle Under the Influence of an Intoxicant".

EFFECTIVE JULY 1, 2019 • This information has been condensed. Refer to Hawai'i Revised Statutes for the laws in its entirety.

OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT:

HRS 291E-61 OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT.

A person commits the offense of operating a vehicle under the influence of an intoxicant if the person operates or assumes actual physical control of a vehicle 1) while under the influence of alcohol in an amount sufficient to impair one's normal mental faculties, or ability to care for the person and guard against casualty, or with 0.08 percent or greater of blood alcohol concentration; or 2) while under the influence of any drug that impairs the person's ability to operate the vehicle in a careful and prudent manner.

PENALTIES: A person committing the offense of operating a vehicle under the influence of an intoxicant shall be sentenced, as follows without possibility of probation or suspension of sentence:

SECOND OFFENSE:

Within 10 years of a prior DUI/OVUI conviction

- 24 months to 3 years revocation of license and privilege to operate a vehicle, and installation of ignition interlock device on any vehicle operated by the person during revocation period
- Either of the following:
 - Not less than 240 hours of community service; or
 - 5 days to 30 days imprisonment of which 48 hours shall be served consecutively
- \$1,000 to \$3,000 fine
- Substance abuse assessment and possible treatment
- \$100, \$7 Driver Education assessment for OVUI education (HRS 286G-3)
- \$25 Neurotrauma Surcharge
- Surcharge up to \$50 if court so orders, to the trauma system special fund
- \$250 Drug demand reduction assessment (HRS 706-650)
- \$30 Crime victim compensation (HRS 706-605(6), 351-62.6(a)(3))



For more information call: DIVISION OF DRIVER EDUCATION: O'AHU: 534-8400 •
MAUI: 442-3575 • HILO: 961-7544 • KONA: 443-2275 • KAUAI: 482-238

Revised 06/2019
DE-4-158

Driver Education Intake Interview

Administrative Driver License Revocation

- * Referral to a certified substance abuse counselor for an assessment and follow up with any recommended treatment
- * Information provided about the ignition interlock permit (Smart Start)

Court Sentence

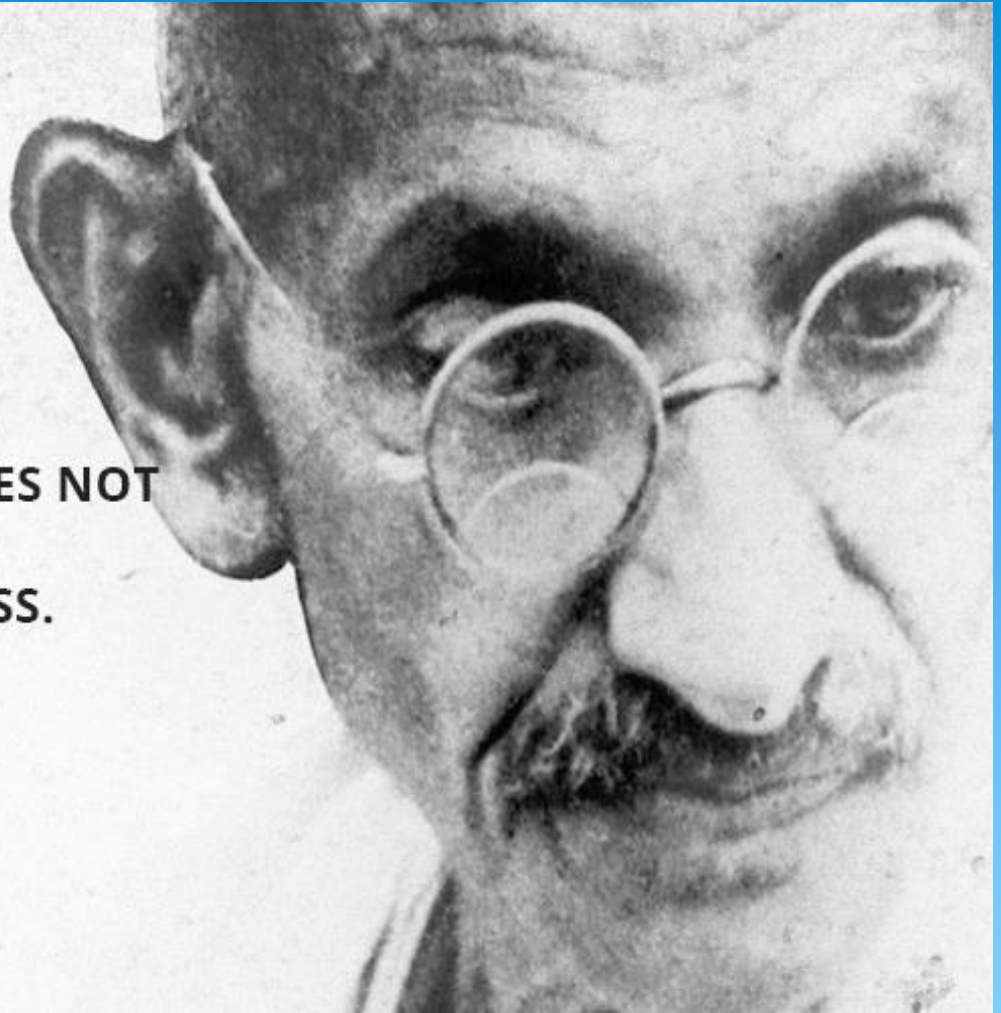
- * Referral to a certified substance abuse counselor for an assessment and follow up with any recommended treatment
- * Enroll in the 14 hours first offender DUI educational course

SUBSTANCE ABUSE ASSESSMENT

- Interview conducted by a State certified substance abuse counselor.
- Each Driver Education office maintains a list of counselors . Client selects the counselor based on location, cost, office hours, etc.
- Interview takes between 1- 1½ hours.
- Results sent to Driver Education office. Driver Education assistant discusses results with client and client follows up with treatment recommendations, if any.



**EDUCATION WHICH DOES NOT
MOULD CHARACTER IS
ABSOLUTELY WORTHLESS.**

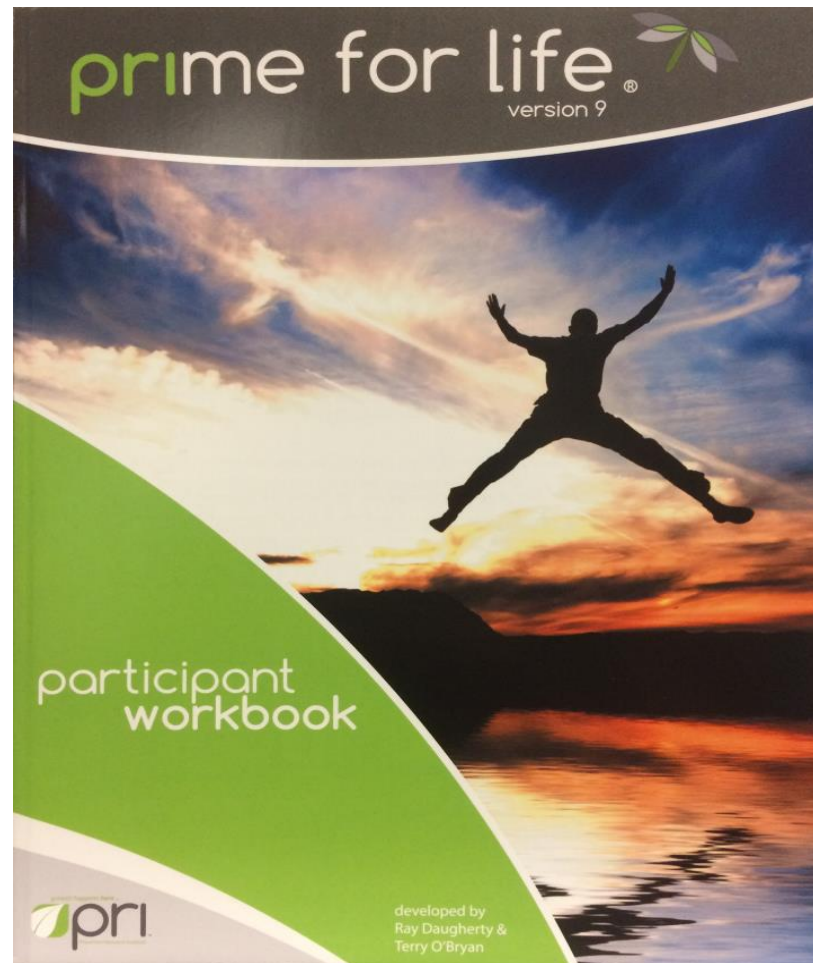
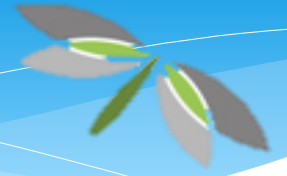


Educational Programming



Division of Driver Education

prime for life



Highlights

Evidence-based, motivational program; designed to reduce risk of alcohol and drug-related problems

- ❖ Low risk / High risk choices
- ❖ Non-judgmental approach
- ❖ Self-Reflections
- ❖ What My Arrest Cost Me
- ❖ Group activities
- ❖ Guest Speakers – Alcoholics Anonymous, Victim Impact speaker & volunteers (AMR- Danny Kao)




Danny Kao, EMS



Zero Tolerance Course

BE AWARE
ZERO
INTOXICATION TOLERANCE



Driving After Drinking Prohibited Under Age 21
Operating a vehicle after consuming a measurable amount of alcohol; persons under the age of twenty-one. HRS 291E-64

It shall be unlawful for any person under the age of twenty-one years to operate any vehicle with a measurable amount of alcohol. A law enforcement officer may arrest a person under this section when the officer has probable cause to believe the arrested person is under the age of twenty-one and had been operating a vehicle upon a public way, street, road, or highway or on or in the waters of the State with a measurable amount of alcohol.

FIRST VIOLATION
Not preceded by a prior alcohol enforcement contract within 5 years.

PERSON UNDER 18

- The person and the person's parent or guardian shall attend an alcohol education counseling program for not more than 10 hours.
- 180 day prompt license suspension with absolute prohibition from operating a motor vehicle during suspension of license.
- The court may impose one or more of the following:
 - Up to 36 hours of Community Service Work; or
 - Fine of \$150 to \$500

1 year suspension for refusal to be tested.

PERSONS 18 TO 21

- The person shall attend an alcohol abuse education and counseling program for not more than 10 hours.
- 180 day prompt suspension of license, providing there is at least 30 days absolute prohibition from driving and for the remainder of the 180 days a restriction to drive for limited work-related purposes and to participate in alcohol abuse education and treatment programs.
- The court may impose one or more of the following:
 - Up to 36 hours of Community Service Work; or
 - Fine of \$150 to \$500

1 year suspension for refusal to be tested.

SECOND VIOLATION
Within 5 years of a prior alcohol enforcement contact.

PERSONS UNDER 21

- 1 year absolute license suspension.
- In addition, the court may impose any of the following:
 - Up to 50 hours of Community Service Work; or
 - Fine of \$300 to \$1000
- Alcohol assessment and possible treatment.

2 to 5 years suspension for refusal to be tested.

THIRD VIOLATION
Within 5 years of 2 prior alcohol enforcement contacts.

PERSONS UNDER 21


- 2 year License revocation.
- In addition, the court may impose any of the following:
 - Up to 100 hours of Community Service Work; or
 - Fine of \$300 to \$1000
- Alcohol assessment and possible treatment.

2 to 5 years suspension for refusal to be tested.

KNOW AND OBEY
The information contained here has been condensed; for the law in its entirety refer to the Hawaii Revised Statutes. For more information call **DIVISION OF DRIVER EDUCATION**

O'AHU 534-6400
MAUI 442-3575
HILO 961-7544
KONA 443-2275
KAUA'I 482-2383

Reprographics (04/06)



*10-hour course
offered 2 times per
year

*Condensed
version of Prime
for Life program

*Includes more
youth-oriented
activities

2018 Total Statewide Classes

Island	DUI	Class Enrollment	Zero Tolerance	Class Enrollment
Hilo	28	502	0	0
Kaua'i	7	117	0	0
Kona	16	436	0	0
Maui	28	739	0	0
Oahu	55	1,954	2	40
Total	134	3,748	2	40

Our Roadway Community



Thank you for your time!



Division of Driver Education

Jacqueline Murai

jacqueline.k.murai@courts.hawaii.gov

808-534-6400